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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202(b) ) RM-  
Table of Allotments )  
FM Broadcast Stations )  
(Bowie, Texas) )

To: Chief, Allocations Branch  
Mass Media Bureau

PETITION FOR RULEMAKING

Central Oklahomaa Radio Corporation (hereafter "Central")  
hereby respectfully requests that the FM Table of Allotments be  
modified as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Bowie, Texas	264C3	264A

In support of this request the following is respectfully  
submitted.

1. Pursuant to the Report and Order in MM docket 89-228,1  
adopted February 22, 1990, the Commission modified the then-  
existing FM Channel 264A allotment for Bowie, Texas, to specify  
FM Channel 264C3. This allotment was, and is, utilized by KRJT-  
FM, licensed to Bowie Nocona Broadcasting Company, Inc.  
(hereafter "KRJT"). KRJT has failed over the course of the past  
three years to implement the Class C3 up-grade for the station.

2. On October 23, 1992, Central filed an application for KFXT(FM), Sulphur, Oklahoma, to implement a Class C2 up-grade it was given for the station. This application conflicts with the KRJT Class C3 allotment at Bowie, Texas, that has never been implemented by KRJT. See, FCC File BPH-921023IB.

3. The KFXT application, if approved, will allow Central to greatly expand the service area for the station.<sup>2</sup> The Commission has consistently found that such an increase in service area is inherently in the public interest. Such a public interest benefit should not be precluded by an allotment that has gone unutilized by an existing station for a period of three years.

Accordingly, Central requests that the present allotment at Bowie, Texas, be modified as noted herein.<sup>3</sup>

Respectfully submitted,

Central Oklahoma Radio Corporation

By:   
Jeffrey D. Southmayd

Its Attorney

Southmayd & Miller  
1220 Nineteenth Street, N.W.  
Suite 400  
Washington, D.C. 20036  
(202) 331-4100

Date: April 28, 1993

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<sup>2</sup> KFXT is presently a Class A operation with a limited service area.

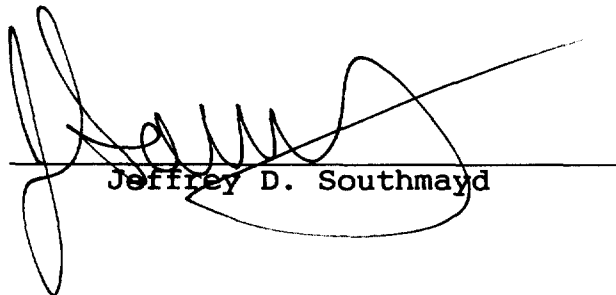
<sup>3</sup> See the attached engineering statement.

CERTIFICATE OF SERVICE

I, Jeffrey D. Southmayd, do hereby certify that I have caused copies of the foregoing to be served by first-class U.S. mail, postage pre-paid, on this 28th day of April, 1993, on the following:

Mr. Michael C. Ruger  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Room 8318  
2025 M Street, N.W.  
Washington, D.C. 20554

Bowie Nocona Broadcasting Co., Inc.  
P.O. Box 1080  
Bowie, Texas 76230



Jeffrey D. Southmayd

## **DECLARATION**

Prepared For

**CENTRAL OKLAHOMA RADIO CORPORATION**

Thomas J. Johnson says that he is an engineer and Vice President of Lechman & Johnson, Inc., Telecommunications Consultants, with offices located at 16201 Trade Zone Avenue, Suite 106, Upper Marlboro, Maryland, and that his qualifications are a matter of record with the Federal Communications Commission.

That the firm of Lechman & Johnson, Inc. has been retained by Central Oklahoma Radio Corporation, licensee of Station KFXT, Sulphur, Oklahoma, to prepare this Engineering Statement in support of a Petition For Rule Making to amend the Table of FM Assignments, Section 73.202(b), to delete Channel 264C3 from Bowie, Texas.

KRJT-FM is currently licensed to operate on Channel 264A at Bowie, Texas. By letter dated April 1, 1993, the Chief, FM Branch advised KRJT-FM as follows:

*"Pursuant to the Report and Order in MM Docket 89-228, 5 FCC Rcd 2152 (1990), adopted February 22, 1990 and effective May 18, 1990, the Commission modified the allotment for KRJT-FM to permit that station to specify Class C3 facilities on the present channel [264]. However, as of this date, no construction permit application on FCC Form 301 for Class C3 facilities has been received. Failure to implement Class C3 facilities in a timely manner constitutes "Warehousing" of unused spectrum to the preclusion of other potential users seeking to provide additional broadcast service to the public and could result in your being made a party to an allocation rulemaking seeking to downgrade the Bowie allotment.*

*The FM Branch has received an application from station KFXT, Sulphur, OK (file Number BPH-921023IB) which conflicts with KRJT-FM's Class C3 allotment and which requests that KRJT be downgraded to a Class A. While a downgrade*

**LECHMAN & JOHNSON, INC.**

Declaration of Thomas J. Johnson  
April 16, 1993  
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*cannot be achieved by another party in this manner, KRJT-FM is advised that its unfilled Class C3 allotment is subject to being downgraded via a rulemaking proceeding."*

Accordingly, since KRJT-FM has failed to implement the Class C3 operation, it is requested that Channel 264C3 be deleted from Bowie, Texas so that KFXT can provide improved service to Sulphur, Oklahoma and its environs.

I declare under penalty of perjury that the foregoing is true and correct.

LECHMAN & JOHNSON, INC.



Thomas J. Johnson  
Telecommunications Consultant  
April 16, 1993